IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Alexandria Division

UNITED STATES OF AMERICA)	
v.)	Criminal No. 01-455-A
ZACARIAS MOUSSAOUI,)	
Defendant.)	

DEFENDANT'S AMENDED NOTICE OF EXPERT EVIDENCE OF MENTAL CONDITION

The defendant, Zacarias Moussaoui, by counsel, hereby provides amended notice of expert and testimony he may present in the selection phase:

- 1. <u>Jan Vogelsang</u>, MSW: Ms. Vogelsang is a clinical social worker, with an MSW from Univ. of South Carolina. She will testify as to Mr. Moussaoui's life history. The history will include, *inter alia*:
- a. His mother's marriage to his father in Morocco when she was only fourteen years old and her coming to France with him and Zacarias' two older sisters. His mother spoke no French and knew no one in France when she came.
- b. The circumstances of his birth, which were stressful. His mother was undernourished and sick physically and emotionally. His father was a violent alcoholic who took no interest in the pregnancy or Zacarias and his brother and sisters. He emotionally and physically abused his mother, including in the presence of the children.
- c. His mother separated from her husband and Zacarias spent his first five years in and out of orphanages. Life in the orphanages could be harsh and he and his older brother clung to each other and grew close. His older sister Nadia, a child herself, did her best to fill in for his parents.
- d. While Zacarias' mother struggled to support her four children in a strange country where she had to learn a new language, Zacarias and his brother basically raised themselves. They attended school, played sports, and depended on each other and themselves to develop and learn.

- e. Zacarias' emotional and developmental needs were neglected. He had to face racism, cultural changes, relocations and emotional losses on his own. He was never given a firm and clear foundation spiritually or emotionally. Although his mother was Muslim, she, like many first generation immigrants from North Africa, chose to raise her children in a secular fashion, consistent with the dominant French culture. The children received no religious education and only nominally practiced Islam.
- f. As Zacarias grew older, he and his brother realized that if they were to make it in life, they would have to do it themselves. While still adolescents, they moved out of their mother's home and struggled even to eat, in order to stay in school and get an advanced education. They never had the support of either parent in these endeavors. They sought out their Islamic roots on their own, with no prior basis for assessing the divergent strains of Islamic teaching with which they were confronted.
- g. Zacarias and his brother decided that their hopes for success as businessmen depended on learning English and after receiving the equivalent of bachelor degrees. They agreed that Zacarias would go to England to master English and advance his knowledge of business and marketing.
- h. Zacarias began to deteriorate in England. While he suffered deprivation in order to obtain his education, his capacity to bear up under the strain of years of neglect began to show and he became more and more emotionally and behaviorally changed and unable to manage his life. He had no support system, as he was separated from his family and friends in France. As his personal and financial circumstances deteriorated in a foreign country, he initially sought identity with a moderate Mosque, but was subsequently exposed to the propaganda and enticements of the radical Mosques which flourished in London in the 1990s.
- i. The history of his parents' families in Morocco will also be discussed, including the history of mental illness.

Ms. Vogelsang's testimony will be based upon numerous interviews she and others have conducted and her review of personal and family records. She will not render an opinion as to any diagnosis of the defendant. It is not clear to the defense whether Ms. Vogelsang's testimony constitutes expert testimony of a mental condition.

Nancy C. Andreasen, M.D., Ph.D.: Dr. Andreasen will testify that Mr. Moussaoui suffers from a major thought disorder, most likely schizophrenia. In addition to the information contained in the reports of Dr. Amador, she will rely on her analysis of Mr. Moussaoui's writings, his appearances in court and the previously filed reports of Dr. Amador. She will rely,

in part, on "The Scale for the Assessment of Thought, Language and Communication" (TLC), the Scale for Assessment of Positive Symptoms" (SAPS) and the Scale for Assessment of Negative Symptoms" (SANS), upon which she has relied as a result of the inability of defense experts to interview the defendant.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2006, a true copy of the foregoing
Notice was served upon AUSA Robert A. Spencer, AUSA David J. Novak and AUSA David
Raskin, U.S. Attorney's Office, 2100 Jamieson Avenue, Alexandria, VA by delivering it to them
by hand.

<u>/S</u> /			
Gerald T. Zerkin			